

BIRD ACQUITTED OF ANGELINA'S ACCUSATION

(From Friday's Daily.)

After a short deliberation a jury in Superior court last night acquitted Floyd Bird, colored, charged jointly with "Blackie" Pearson with the robbery of Angelina Thompson, Humboldt restaurant keeper, of a diamond valued at \$500, and about \$30 in currency.

In the trial of Floyd Bird, accused of participating in the robbery of Angelina Thompson, a so-called French mulatto, of a diamond setting from a finger ring, and \$30 in currency, the principal testimony of the woman was that she did not remember. Even the driving of her car off a culvert at a speed which threw some of the occupants completely out of the car, failed to impress itself on her memory. She even failed to remember who were riding on the back seat, and when she relinquished the steering wheel, she could not tell who sat on the back seat with her.

She accused no one directly of taking her property, but in the absence of the diamond from its platinum setting, she did not consider her birthday celebration an entertainment, and she felt that someone of the trio with her was more or less responsible.

On the other hand, when Mrs. Mary Tobin, colored, was taken out of the car near the ice house, Angelina, choosing a pole to lean on, the car after she ducked the culvert, entirely, that lady decided after recovering consciousness that the pace was too hot for her, and a passing taxicab driver stopped and brought her to the city.

Sergeant Mitchell P. Mahon testified that he had passed the car and seen Angelina Thompson's head hanging over the side of the car and a man bending above her, and although he testified he believed a woman was being robbed, the man with the sergeant's stripes offered no explanation for not stopping and going to the woman's aid. A taxi driver showed more nerve for a moment later he stopped, asked the trouble and brought Mrs. Tobin, who had been injured, to the city.

Sergeant Frank Davis testified that he brought the mulatto, Miss Thompson, to the city about 4:30 a. m., taking her to the American restaurant, where the night city police took her in charge.

Deputy Sheriff Thompson told the details of the arrests, and his investigation of the various places and exhibits involved in the case. He made an ideal witness, giving bare facts without showing personal bias, or in any way trying to color his testimony to favor either the state or the defendant.

Taking the stand, the defendant, Floyd Bird, told a well connected story of the night as he remembered it. His statements presented no material difference to any of the other accounts of the joy ride except he could not recollect seeing the mulatto's car standing near the gate and the service truck in which he was being brought to town stopped by a waved electric torch and the owner thereof getting aboard in the rear, the defendant being on the front seat, rather under the influence of liquor.

Bert Wiberg, driver of the service car, noted this part of the evening's galaxy of wild and curious happenings, but could not say whether the party getting aboard was the mysterious "Whitey." But he did know that a Fort Whipple car was ranged alongside of Angelina Thompson's Buick, and that the dusky "speed

ball" was talking to the driver of the government car.

Lee Johnson, colored, called as a character witness, changed the character of the court room from a serious minded body of citizens to a congregation of individuals each of whom are trying to control his risibilities lest his honor impose a mild reminder of the peace and dignity of justice by applying a contempt fine to him who broke over and laughed too loudly.

In response to a question as to his employment, the witness responded: "Ah worruks in mos' hout de town fixins, mos' of et rough, hard worruk. Ah's been in town heah twenty yeahs. Ah knowed dis Mistah Bird off 'n on foh jest 'bout a yeah, 'n he sah neher done mah no harm. He worruks out at de post, 'n bring in a few nickels 'n dimes 'n spent 'em room' wid we 'uns, 'n we had a lil likker, jes' a swallow not so often ez to make a habit. 'Sides of dat, he had no bad habit, jes' a workin' boy, dat's all."

Judge Sweeney denied motions made by the defense claiming no jurisdiction, alleging that the testimony indicated that the locality involved in the commission of a crime, if a crime had been committed, was a federal military reservation, and that the evidence submitted was insufficient to establish a probability that the defendant had committed an offense as charged, or that any had been committed, the counsel asking for a directed verdict.

UNFORTUNATE SOLDIER

Visiting the city yesterday between trains was Corporal Logan Cusick, who has been recuperating his health for the past two months at Great Bear Lake, California, where a brother is residing. His misfortune overseas lost him part of the left arm, he was slightly gassed and was stricken with influenza. He is en route to Fort Leavenworth to secure an artificial limb. He said with a smile: "Once more I am in good shape, and what's the use of moaning over that missing mit; it might have been worse." Corporal Cusick is receiving a greeting from many friends, and later he may come back to Yavapai to remain. He was drafted from Maricopa county, but is well known in this section, having followed mining work.

DOUBLE TEAM WORK

Councilman and Mrs. William Byers left yesterday for the Kikland country, where they will hunt for a few days, the former armed with a piece of heavy artillery to kill bear, while Mrs. Byers is equipped with a snallhorn shotgun to slay the quail. She is accredited the most skillful feminine shot in the state with small firearms, and every open season never fails to provide the larder of her home with quail in abundance. Byers has been out every year for the past ten and the only cleanup he has ever made is to turn loose a fierce barrage and bring home a sack full of empty shells.

ROAD BONDS POPULAR

In the city yesterday from Walnut country in excellent shape, and with Grove was Chas. W. Carter, the well-known cattleman, who reported the assurances that the Walnut Grove Water Storage Co. would soon rebuild the big storage dam at Waggoner. He said: "The principal issue for that region at present is good roads, and for that reason practically every taxpayer is in favor of the road bond issue for any sum; under present deplorable conditions only light rigs can get in or out, and freighting to market of fruits and produce is light in tonnage."

RECEIVES SAD NEWS

M. J. Egbert, a well known resident of the city, employed in the shops of the S. F. P. & P., left for Coalinga, Cal., yesterday on receipt of a telegram stating that his wife was critically ill. Mrs. Egbert for three years has been suffering from an arterial affliction and recently left for the above city to visit with her sister, where a recurrence of the malady developed. There are many friends of the family in this community who will regret to learn of her serious condition.

MOOSE INITIATION

Another class of candidates was initiated by the Moose lodge last night at their hall in the Dougherty building on West Gurley street. In spite of the rainy weather, a large attendance was on hand to put on the work, an oyster feed following the initiation.

ON THE ROAD

Frank Wallin sends word from Topeka, Kansas, that he returns to Yavapai during November, having received his discharge from the Canadian army recently. He enlisted voluntarily when rejected at Lansing, Michigan, on account of his age being above that of conscription. He escaped without injury or illness.

WINE MAKER IS FINED AND LET GO FREE

Jim Dighera, the son of sunny Italy, who was held to answer to the charge of making intoxicating liquor, specifically wine, contrary to the peace of Arizona in general and Yavapai county in particular, appeared before the Superior court yesterday, unrepresented by counsel.

Judge Sweeney patiently pierced the difficult English of the defendant and finding that Dighera was not entirely devoid of resources, yet unable to determine whether or not he possessed sufficient means to secure an adequate defense, appointed Attorney Westervelt to represent him, leaving it to the attorney to ascertain whether the prisoner could afford to finance his own defense.

Attorney Westervelt was allowed, by the courtesy of the county attorney, to confer in private with the defendant. In a few minutes the prisoner decided to plead guilty and throw himself on the mercy of the court.

Again the judge patiently and personally examined Dighera to determine the attitude of the prisoner toward the law and as to his previous good citizenship. The prisoner asserted he had been a producer, working in the mines about Jerome until feeling "some seek" he wanted a little wine. In response to a question by Judge Sweeney, the answer was that a doctor in California had prescribed wine for what ailed a man when sick, but the judge observed that California was quite a way from his jurisdiction.

But Dighera grew eloquent that he would make no more, and while not denying that he knew he was breaking the law when he made this attempt to turn California grapes into wine for the stomach's sake, he informed his honor that previously he had not "saved" jails, and he would make no more booze or break any laws, after this.

In view of the recommendation of the county attorney, who stated that the prisoner, according to the sheriff's office, had always been a good citizen, giving no trouble of any kind and had been a regular worker in legitimate lines of employment, the court assessed Dighera a \$200 fine and lung a year's sentence over him to take effect if the parole to keep within the law was violated.

Judge Sweeney evidenced his determination to conduct an English speaking institution as far as he has any power in court matters. He stated he was getting a great plenty of having prisoners claim that they did not understand, nor knew they were breaking the law because they did not understand the language of this country. He was loath to show clemency in this case until informed of the opinion of the officers, who had a complete knowledge of the man's previous character. The fact that Dighera had cared enough about his adopted land to complete his citizenship here, evidently had some weight in deciding the court towards leniency. "No speaka English" will not incline the judicial ear to pity in Yavapai county, if the attitude shown on this occasion is a precedent to be followed, and the class of Americanization held in Prescott should receive many more pupils from the "no sabe" population.

ON THE NUPTIAL TRACK

L. W. Maurer, freight conductor of the S. F. P. & P., has returned from Washington and his old home in Pennsylvania, and from his happy mood it is inferred that he switched over to the broad gauge line of benedict while away. He is going around saying, "You bahelor boobs I am not in your class any more." He refuses to explain any further and will not be congratulated.

GLOBE K. OF C. CLUBHOUSE

GLOBE, Oct. 24.—Members of the Globe Council, Knights of Columbus, are arranging to erect a splendid clubhouse here. A building committee composed of William Ryan, E. E. Sweeney and Albert Altweis has been appointed to prepare plans and specifications for the new building. At a recent meeting \$1000 was subscribed. It is expected that work on the new clubhouse will be started within the next 60 days.

MINING BUSINESS

Uri Embury, secretary of the Big Bug Copper company, has gone to Los Angeles on business matters, and to visit at Orange with relatives. He is returning next week.

EXPERTS FOUND GROCERS HIGH ON FLOUR PRICE

(From Friday's Daily.)

In this, the second extract from the report of George H. Smalley and Hugh O. Morrison, federal fair price experts on Yavapai county food dealers, something of the case of the grocery concerns is presented. There is nothing in the following extract concerning the situation at Jerome, where conditions are much worse than in Prescott. In fact, comparing the cities, the report gives the local grocers a very clean bill of health.

The chief offender among prices was found on flour and beans. Sugar did not seem to figure in profiteering, because it has a more or less public fixed price that is uniform. In some ways, the margin figures are not exactly informative, as overhead costs and the incidents of buying sometimes cause rather wide variations in profit margins figures on a fair selling price. If the report on the grocers indicate nothing else, it shows that it costs to do business in Prescott, however.

In a later issue, more points in the fair price report will be discussed. Bashford & Burmister prices came within the reasonable profit margin on all of the 61 necessities of life. On the Kansas flour it takes 8.6 per cent, or 30c a sack; sugar, 9.1 per cent, or 1c a pound; coffee margins range from 4.4 per cent to 8.3 per cent on M. J. B., equal to 5c a can. Canned vegetables are sold at about 15 per cent margin; Kansas butter, 7.1 per cent, storage eggs at 10.1 per cent, or about 6c a dozen. Leaf lard profits 5c a 2-lb. pail, while bacon is sold at 25c per pound advance. Cash only, and deliveries only when the purchase is \$2.50 or more.

Proceeding, the report says: "For the benefit of any one interested in the adverse comments which will appear in this report regarding margins, it is well to take this store which will be styled No. 1 as an example of fair margins, a number of instances being cited above."

E. A. Kastner, store No. 2, is taking a margin of 11.1 per cent on 48-pound bags of Kansas flour, which is at the rate of 40c a barrel in excess of the \$1.20 fair margin rate on a barrel. Onions, 33.1-3 per cent, which is regarded as 31-3 per cent excessive. Otherwise the margins taken by this store are reasonable.

Richards Bros. store No. 3, a credit and delivery store; flour margin is 14.4 per cent on 48-pound bags, 88c in excess of a fair price. Except for 31-3 per cent too much on onions the rest of the margins are reasonable.

Store No. 4, N. Levy grocery. This store gets 40c a barrel too much when selling 48-pound sacks of Phoenix flour but sells the Kansas product at a fair rate. For oatmeal and rolled oats in bulk, 25 per cent margin is excessive, not over 22 per cent being considered right. Otherwise the selling prices were fair.

Sam Dreyer, store No. 5, has been charging 11.7 per cent on Kansas flour. 48-pound sacks, or at the rate of \$1.64 per barrel, 44c excess over the rate considered right. Like Kastner, 31-3 per cent too much is charged on onions, otherwise all other necessities are priced low.

The federal commission which made the investigation, state: "These five stores are located in the heart of the business district where rentals are high, and they are all giving the public good service, under the most reasonable margin of profit, taken as a whole, of any stores of their class found in the state."

Store No. 21, Middleton's Cash Grocery, also took 40c too much on flour when the rate per barrel declared fair was considered. While his pink bean price was within the fair limit fixed by the commission; the members wished these might sell a little lower, because so many poor people doted on pink beans. On all the rest of the groceries the margins were reasonable.

Store No. 22, O. K. Grocery, stepped up the profit per barrel on flour to an excess of \$1.28, Phoenix product, and on the Kansas flour it made an excess charge of 80c. This aroused the commission to order reductions in flour prices, though it reported that on all other commodities the margins were reasonable.

Store No. 23, Silver's Grocery: Flour, 24-pound sacks, were marginated at 5.5 per cent, or only 80c a barrel profit but it slipped on onions and charged 20 per cent too much, but otherwise was fair.

Store No. 24, Model Cash Grocery, took 24c too much on flour but otherwise had all other prices right.

Store No. 25, H. T. Jemison. This store had the flour 48 per cent heavy, barrel lots considered, and pink Alaska salmon carried a 33.1-3 per cent margin, a little excessive. Six-ounce evaporated milk at 25 per cent profit worried the commission a little. Otherwise the price margins were reasonable.

margin on oatmeal, 1c a pound too much for onions. Lard and lard substitutes as priced by Jones caused the commission to say the range of margins here is hard to understand, a three-pound pail of substitutes netting the grocer but 3 per cent, a 2-pound pail giving him 20 per cent. The rest of the stock was priced right, as far as the margin over cost was concerned.

Store No. 32, Dong Wah Grocery. This store had reasonable margins on all but whole bacon sides, 29.1 per cent; whole hams, 25.4 per cent; flour, 10c a barrel too strong and about 10 per cent too heavy on potatoes.

Store 34, Home Bakery and 10c a sack, and while a little high on onions, was marginated right.

Store 34, Home Bakery and Grocery, tilted flour 24c barrel rate and onions sold 2c per cent too strong, otherwise fair priced.

Store 35, J. MacDearing Grocery, also hits flour a little high, 28c barrel rate, and also prices the onion excessively. His other prices are right margined.

In connection with flour prices it is noted in the report that Sam Dreyer sells to the public at the same price as does the Bashford-Burmister company, but seems to be a better buyer of flour, this explaining the higher per cent of margin. Also, the Model Cash Grocery sells the 24 and 48-pound sack at 5c less than do the two above mentioned although he is credited with a higher per cent of profit than the big company.

Thus while some of the grocers are credited with making a higher percentage on the cost price in many instances the cost to the consumer is

no more. There is a question whether a grocer, especially a small concern can pass on a buying advantage to the public by underselling big business, for in a price-cutting competition the little fellow would usually regret that he had started something.

Taken as a whole, the commission's report showed that Prescott's prices for the 61 necessities are lower than those in any other section of the state so far made a subject of investigation, and that the margin of profit charged is fair with but a few exceptions and that these are being corrected under orders issued by the commission.

PRESCOTT GROWS AS PINE CREST COMES IN

(From Friday's Daily.)

Pine Crest, the pretty suburban tract, is now under the municipal wings of the city, and to the population there is added 25 families, aggregating fully 250 persons.

Final and official action for this purpose was taken yesterday when City Clerk Robinson had filed for recording the plat of the subdivision, which showed a group of 60 lots, with the full delineation of the entire community, which is so attractively nestled midst the stately pines and other beautiful as well as health-giving foliage.

This subdivision has discarded its mushroom character and is now developing into a solid and substantial residence center, some of its newly built homes being among the best in the city. Soil conditions are excellent and with its cement formation very little inconvenience is given pedestrians during the hardest of rainstorms. The water system of the

city covers every locality and the electric light service is available everywhere. New homes are to be built next spring and the slogan is being sounded of "Westward the star of empire takes its way."

MOTOR TOURISTS SWARMING THE S. F.

(From Saturday's Daily.)

County School Superintendent Miller returned to the city Thursday from an official visit to districts in the north, and his report of motor travel to the west was surprising on account of the number of cars on the road. An average of fully 125 machines is passing through Seligman daily and the congestion of people in restaurants and lodging houses has never before been equaled, not even during the summer months.

Those engaged in the above lines of business are thriving, and what prevails at Seligman is transpiring at every town along the Santa Fe. Mr. Miller made the trip in his car, and stated that after leaving Seligman for Ash Fork he was never out of sight of a motor party westward bound, the southern part of California being their destination. It was generally commented upon that many of these tourists could be diverted from Williams to Clarkdale if a highway were built, and thence to Prescott via the Jerome cut-off now nearing completion.

Anxious inquiries were made about the Jerome mines, also the picturesque location of Prescott, from which can be inferred what a horde of tourists would visit these communities if good roads were available.

The Seligman school, Mr. Miller stated, was now at the peak, the number of pupils attending being the largest ever known.

Business in the town is excellent, every building is occupied and reservations must be made days ahead to get a room in a lodging house.

AGAIN WELL

Arriving from Los Angeles this week was Benjamin McVicker, who stated he met with an automobile accident about three weeks ago, his right leg being run over by a truck. Only a flesh wound occurred, from which he has fully recovered. The car backed into him as he was conversing with a friend. He is returning to Black canyon to work in the mines.

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